

WILTSHIRE POLICE



Via Email



Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 20/05/2024

Your ref: FOI

Our ref: FOI 2024/445

Reply contact name is:

Dear ,

I write in connection with your request for information dated 23/04/2024⁷ concerning Op Bridger.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

I am writing under the Freedom of Information Act 2000, I request the following information:

The number of times Operation Bridger has been implemented by the police force from 1st January 2016 to 22nd April 2024 broken down by year.

Please also include any documents, communications and reports specifying:

- the reason Operation Bridger was implemented
- the action taken (interventions etc.)
- the arrests and charges made if any
- the number of associated crimes
- the politicians (MPs, councillors etc) each Operation Bridger response was implemented to protect

Response:

Wiltshire Police can neither confirm nor deny whether information relevant to this request is held, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

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Section 23(5) Information supplied by or concerning certain Security Bodies

Section 30(3) Investigations

Section 31(3) Law Enforcement

Section 38(2) Health and Safety

Section 40(5) Personal Information

Sections 23 and 40 are class based absolute exemptions and there is no requirement to evidence harm or consider the public interest test.

Section 30 is a class based qualified exemption and consideration of the public interest must be given as to whether neither confirming nor denying the information exists is the appropriate response.

Sections 31 and 38 are prejudice based qualified exemptions and any prejudice (harm) that confirming or denying information is held would cause must be articulated as well as the public interest considerations.

Harm in Confirming or Denying that Information is held

The College of Policing has an Authorised Professional Practice on Intelligence Management which is a national standard adhered to by all police forces across England and Wales. These are four products which are the deliverables of intelligence led policing. Each product has a defined purpose and provides recommendations for making decisions and options for action. These four products are strategic assessment; tactical assessment; subject profile and problem profile.

This APP can be viewed at the below link:

<http://www.app.college.police.uk/app-content/intelligence-management/intelligence-products/#content-of-the-strategic-assessment>

It is a business process with an intention to provide focus to operational policing and to achieve a disproportionately greater impact from the resources applied to any problem. It is dependent on a clear framework of analysis of information and intelligence allowing a problem solving approach to law enforcement and crime prevention techniques.

In addition, the College of Policing also publish an Authorised Professional Practice for Investigation which provides guidance on the key roles and principles on the process of criminal investigation. It includes guidance for both reactive and proactive investigations, from volume crime to major crime, see below link:

<https://www.app.college.police.uk/app-content/investigations/victims-and-witnesses/>

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It clearly states within this APP that when working with victims the success of any investigation depends largely on the accuracy and detail of the material obtained from them. Although in part some questions submitted for this request are statistical, confirmation or denial to the world that any information is held would undermine the confidentiality expected by a victim who reports to the police that they have been the subject to a crime or threat and have reported this to police under the auspices of Operation Bridger.

Confirmation or denial that information is held relevant to this request would undermine both the APP for Intelligence Management and Investigations. The impact of confirming or denying whether information is held relating to this request, i.e. whether any incidents have been recorded under Op Bridger by Wiltshire Police has potential to undermine the flow of information (intelligence) by Police Service relating to allegations of crime. It also would undermine the tactical purpose of the operation, by highlighting to an offender whether their activities had been reported to the police thus hindering law enforcement. This harm is magnified when the questions are posed to all forces nationally as individual force confirmation or denial would result in a mapping effect being created of the intelligence picture across UK police forces in relation to MP security.

Finally, and more importantly, through prejudice to the investigative process and revelation of the intelligence picture both at force level and nationally, Wiltshire Police risk compromise the health and safety of an individual, placing them in grave danger.

Public Interest Considerations

Section 30

Factors favouring complying with Section 1(1)(a)

Confirming or denying whether information exists relevant to this request would lead to a better informed general public by identifying that Wiltshire Police robustly investigate crimes against Members of Parliament. This fact alone may encourage individuals to provide intelligence in order to assist with investigations and promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations.

The security of Members of Parliament is a high profile topic, largely in part due to the tragic murders of Jo Cox and David Amess. Confirmation or denial that any information exists could provide reassurance to the general public.

Factors against complying with Section 1(1)(a)

Confirmation or denial that information is held in this case would suggest Wiltshire Police take their responsibility to appropriately handle and manage intelligence supplied to them flippantly.

By its very nature, information relating to the safety of individuals is highly sensitive. Under FOI there is a requirement to comply with Section 1(1)(a) and confirm what information is held. In some cases it is that confirmation, or not, which could disclose facts which would

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undermine the investigative process and in such cases Wiltshire Police takes advantage of its ability under FOI legislation to, where appropriate, neither confirm nor deny that information requested is or is not held.

Irrespective of what information is or isn't held, any information which could be used to undermine prosecutions or aid offenders is not in the public interest.

Section 31

Factors favouring complying with Section 1(1)(a)

There is media speculation and rumour within the public domain relating to the security of Members of Parliament and that in itself can be considered to be a factor for disclosure.

Factors against complying with Section 1(1)(a) neither confirming nor denying that information is held

Wiltshire Police has a duty of care to the community at large, which obviously includes Members of Parliament. Public safety is of paramount importance. If an FOI disclosure revealed information to the world (by citing an exemption or stating no information held) that would undermine an operation and place the safety of an individual at risk, this could be used to an offenders advantage which would compromise public safety, the safety of Members of Parliament and it may also encourage offenders to carry out further crimes.

Wiltshire Police relies on information being supplied by the public. Irrespective of what information is or isn't held, applying substantive exemptions would indicate that information is held and has been/is currently being investigated. Such action would act as a deterrent to individuals provide intelligence to the force which would further undermine public safety, with repercussions that could hinder the prevention or detection of crime.

Wiltshire Police would not wish to reveal who, what and when intelligence is recorded and the extent of their investigations as this would clearly undermine the law enforcement and investigative process and allow criminals to plan their activity to better try to evade detection. This would impact on police resources and more crime and terrorist incidents would be committed, placing individuals at risk.

Confirmation or denial that information is held may hinder and undermine the partnership approach to law enforcement in this complex area.

Section 38

Factors favouring complying with Section 1(1)(a) confirming information is held

Confirmation of whether information is or isn't held would provide reassurance to the general public and Members of Parliament that Wiltshire Police use tactical options in line with relevant intelligence received into their force. This awareness could be used to

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improve any public consultations/debates in relation to this subject and also allow the public to take steps to protect themselves.

Factors against complying with Section 1(1)(a) confirming or denying that information is held

Confirming or denying that information exists could lead to the loss of public confidence in Wiltshire Police ability to protect the wellbeing of the community.

Wiltshire Police has a duty of care towards Members of Parliament and the general public and to reveal information via an FOI request which would place the safety of individuals in grave danger, is not in the public interest.

Balancing Test

The points above highlight the merits of confirming, or denying, whether any information pertinent to this request exists. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, various intelligence may or may not be being handled. The Police Service will never divulge whether or not information pertinent to this request does or does not exist, if to do so would place the safety of an individual at risk, compromise an ongoing investigation or undermine the policing purpose in the effective delivery of operational law enforcement.

Whilst there is a public interest in the transparency of policing operations and investigations, providing reassurance that the Police Service is appropriately and effectively engaging with the threat from criminals, there is a very strong public interest in safeguarding the health and safety of individuals. As much as there is a public interest in knowing that policing activity is appropriate and balanced it will only be overridden in exceptional circumstances.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirming, nor denying that information is held is appropriate.

No inference can be taken from this refusal that information does or does not exist.

Section 17 of the Freedom of Information Act 2000 requires Wiltshire Police, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 23(5) Information supplied by or concerning certain Security Bodies

Section 30(3) Investigations

Section 31(3) Law Enforcement

Section 38(2) Health and Safety

Section 40(5) Personal Information

Please contact me if you would like to discuss the withheld information.

Yours sincerely

Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>